[28th January 1931

Alleged letter from the Collector of South Kanara to the District Judge regarding commissions.

* 162 Q.—Mr. U. C. Subrahmanya Bhatt: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the Collector of South Kanara wrote a letter to the District Judge of South Kanara, dissuading him from giving commissions or receiverships in suits in the district and subordinate courts of South Kanara to Mr. Shesha Bhat Bhide, Vakil, Mangalore, for his having resigned his councillorship of the municipality of Mangalore, and if so, what are the contents of that letter;

(b) whether the Government have taken any steps or intend to take any to prevent such interference on the part of the executive in the administration of civil justice; and

(c) what is the justification for the said action of the Collector in interfering with the administration of justice on matters touching the individual opinions of lawyers?

A.—(a) The Government have no information.
(b) & (c) Do not arise.

Mr. U. C. Subrahmanya Bhatt:—"May I ask whether the Government will call for the information?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"The Government have already called for the information."

Mr. U. C. Subrahmanya Bhatt:—"May I know what the information is?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"The information has not yet been received."

Electricity

Licence for supply of electricity to Salem town.

* 163 Q.—Mr. Sami Venkatachalam Chetti: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the Salem municipality applied to the Madras Government on 22nd August 1930 for the grant of a licence for the supply to the Salem public of electrical energy for power and lighting; if so, why no reply has been given till now;

(b) whether Messrs. Octavius Steel & Co., Ltd., have been given the necessary licence for distribution of electrical energy for Salem;

(c) whether any objection has been received under 2 (1) of the Indian Electricity Act of 1910; if so, from where;

(d) how the objection has been disposed of;

(e) whether the municipality was one of the objectors; if so, what were the terms of objection by the Municipal Council; and

(f) why the Government in spite of such objection, granted the licence to Messrs. Octavius Steel & Co., Ltd.?

28th January 1931]

A.—(*a*) Yes. A reply was sent on the 11th December 1930.

(*b*) Yes.

(*c*) The hon. Member presumably refers to section 3 (2) (*a*) (i) of the Act. No objection was received within three months from the date of the first publication of the notice of application for the licence.

(*d*) & (*f*) The licence was granted to Messrs. Octavius Steel & Co. for the reasons explained in Government Memorandum No. 11034-E/30-7, dated 11th December 1930, which is annexed hereto.[a]

(*e*) The objection of the Municipal Council was received more than two months after the expiry of the period fixed by the Act. The ground of objection was that the Council wished to obtain the licence itself, the distribution of electric energy being a matter of public utility.

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar :—" With regard to the Government Memorandum No. 11034-E/30-7, dated 11th December 1930, may I know when the Company will complete the scheme of distribution ? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" Notice, Sir."

Mr. T. S. Ramaswami Ayyar :—" May I ask whether the Government considered the desirability of distributing the current departmentally ? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" Yes, Sir."

Mr. T. S. Ramaswami Ayyar :—" May I know why the Government have not taken up the work of distribution themselves ? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" The Government thought that if they themselves undertook this work, it would cause delay and thereby loss to the tax-payer."

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar :—" May I ask at what rate the Company is going to supply energy ? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" Notice, Sir."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—" May I enquire why the Government thought that there would be delay ? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" For this reason, Sir. The Government do not possess the necessary agency for doing this kind of work. The Government have already invested a sum of Rs. 5½ lakhs on transmission lines from Mettur. If the Government were to employ a new agency, it would take time. As I said, the prolongation of the period will cause loss to the tax-payers whose money—to the extent of 5⅓ lakhs—has already been spent by the Government."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—" Considering the fact that this Company have undertaken this work because they will get profit and not loss, why did not the Government undertake the work and get the profit ? "

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[a] Printed as Appendix V on page 416 infra.

[28th January 1931

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"For this reason, Sir: the company have the necessary agencies and materials in their hands always; they are professional workers in this field."

Mr. T. S. RAMASWAMI AYYAR :—"May I enquire whether the Government have not got an Electrical Department and expert electricians at the head of the Department?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Not for the purpose of distribution of the energy but only for the production of energy on a very large scale."

Mr. SAMI VENKATACHALAM CHETTI :—"May I know whether the original application of the company was both for generation and distribution?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Notice, Sir."

Mr. T. S. RAMASWAMI AYYAR :—"May I enquire whether the distribution of energy is not much easier than production of electric energy and does not distribution through other agencies entail loss to the Government?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"I may tell my hon. Friend that the nature of the two kinds of work of production and distribution is different; we cannot compare one with the other."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"Considering the fact that the Government have got their own electrical experts, considering the fact that orders may be placed with firms for materials required, considering the fact that the only thing required is the appointment of additional establishment, and considering the fact that the Government will make a profit, may I ask why the Government did not take up the work themselves?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"For the reason that I have already given; placing of orders for materials and the employment of a new agency will naturally take time."

Mr. T. S. RAMASWAMI AYYAR :—"What is the cost per unit?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Notice, Sir."

Mr. BASHEER AHMED SAYEED :—"May I enquire whether the municipal council was consulted as to their readiness to take up the supply?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Yes, Sir; the municipal council was consulted and they stated—by a resolution—that this work might be granted to the Octavius Steel & Co."

Mr. SAMI VENKATACHALAM CHETTI :—"For what purpose?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"For distribution Sir."

Mr. SAMI VENKATACHALAM CHETTI :—"Is it not for generating and distributing?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Notice, Sir."

Mr. T. S. RAMASWAMI AYYAR :—"May I ask the cost at which they propose to sell the current?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Notice, Sir."

Khan Bahadur KHALIF-UL-LAH SAHIB :—"What is the reply of the municipal council—conditional or unconditional?"

28th January 1931]

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Absolutely unconditional."

Mr. K. R. VENKATARAMA AYYAR :—" May I know whether any time limit is fixed ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" They are expected to finish the work before the end of this year in any case."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" May I ask whether the agreement with the Octavius Steel & Co. has been completed ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Licence has been granted."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" May I know whether the agreement has been taken ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Licence has been granted ; that is the final stage."

Dr. P. SUBBARAYAN :—" May I ask whether the Government have taken an undertaking from the company that, if the latter do not finish the work within the time fixed, they will bear the loss which the Government will be put to ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" So far as I can say now, no."

Dr. P. SUBBARAYAN :—" Why not give the work to the municipal council ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Because they did not want to undertake the work originally."

Dr. P. SUBBARAYAN :—" Did they not apply afterwards ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" My hon. Friend knows the matter as well as I do ; these matters were discussed in the Cabinet when he was a Member of the Government."

Dr. P. SUBBARAYAN :—" My hon. Friend is going beyond his province."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I am not."

Mr. SAMI VENKATACHALAM CHETTI :—" Was this work given to the company before the deputation approached the hon. the Law Member ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Yes, Sir."

Mr. BASHEER AHMED SAYEED :—" May I ask whether the Government propose to encourage municipalities in such undertakings in future ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" As far as municipalities can do this kind of work."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I ask whether there are any terms in the licence which will enable the Government to take over some of these works ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" That requires an examination of the licence."

[28th January 1931

Dr. P. Subbarayan :—"I would like to ask the hon. Member whether he has imposed a condition on the company that they should finish the work within the time fixed and when the electric current will be ready ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"They are professional men in this matter; it is to their interest that they should finish the work as early as possible."

Mr. T. S. Ramaswami Ayyar :—"Would it not be to the interest of the Government if they undertook the distribution of work and completed the work as early as possible ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"It is not possible."

Dr. P. Subbarayan :—"Will not the municipal council be just as anxious to complete the work as early as possible ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"The municipal council did not want to take up the work."

Dr. P. Subbarayan :—"As far as I know, the municipal council did want it."

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"I am thankful to the hon. Member for the information."

The hon. the President :—"This is not a supplementary question."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—"May I know the time when the company will complete the work ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"As I said, in any case, before the end of this year."

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar :—"May I enquire whether the Company did not ask for extension of time ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"No, Sir."

Issue of licences for electric supply to Erode and Salem.

*164 Q.—Mr. V. P. Narayanan Nambiyar: Will the hon. the Law Member be pleased to state—

(a) whether Government have issued licences in respect of electric supply in Erode and Salem ; and

(b) if so, to whom they have given and for what reasons?

A.—(a) Yes.

(b) To Messrs. Octavius Steel & Co., Calcutta, for the reasons explained in the memorandum annexed.[a]

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar :—"Did not the Government ask the municipal councils to borrow money for such purposes and undertake the schemes ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"I am not aware of it. The question must be addressed to my hon. Colleague, the Chief Minister."

[a] Printed as Appendix V on page 416 infra.